

U.S. DIST. COURT - DISTRICT OF COLUMBIA
JUL 21 2014
AT 10 O'CLOCK
JON W. SANFILIPPO, CLERK

July 17, 2014

Dafina Roter Velyov

v.

Case

Frontier Airlines

Your Honorable Judge Rudolph T. Randa,

In response to the defendants
Memorandum in Support of Motion for Partial
judgement on the pleadings, Comparison of
Yanta v. Montgomery Ward is NOT applicable
to my case, Dafina Roter Velyov v. Frontier Airlines/
Republic Airways Holdings. Yanta was
discharged from Montgomery Ward on April 17, 1969,
She did not initially file a claim until Sept 8, 1972
Argued on November 1, 1974 and decided December 20, 1974
She did not file until 9-8-72 - 3 years later.
And is based on a sex discrimination case only.
A recent amendment (at that time) was effective
June 15, 1974 permitting the department
to ALLOW backpay - which was 5 years
after her termination. Nor was she not paid
out on, or entitled to the benefits that I was
in 2011.

However, I initially filed a
Family and Medical Leave Complaint AND a

Discrimination Complaint w/ Fair Employment Law on November 1, 2011 which they claim they never received??? In the meantime, still recovering from being ill and depressed from being terminated, my daughters and I were evicted from our home due to falling behind on rent due to NO income - and taking my grandfather, my only father to the Dr, finding out he was diagnosed with cancer and had only 6 weeks to live. He then passed on 11-11-11. After dealing with the eviction, the funeral, the loss and grief of my job and the only man who raised me, the worst Christmas EVER for my children and I, NO \$ for food or gifts or for my daughters 15th Birthday on January 2nd. I followed up with a call to the Equal Rights Division who claimed to NEVER have received my complaint on November 1, 2011. I was determined to redo it and send it again - I refiled both complaints to the ERO on April 24, 2012 - Still NO response - So, I then on May 15, 2012 proceeded to fax both complaints again - but this time, I faxed it SEVEN (7) Yes, seven times to ensure that they

received it - I then finally received a response dated the same day I faxed over my complaints seven times - Stating "We are NOT ABLE to immediately ASSIGN this case for investigation." SEE ATTACHED

By June 2012, after calling and calling the ERD due to statute of limitations, to see how long it would be until I was assigned a investigator, I was finally assigned a Equal Rights Officer, James Drinian - who was unhelpful and unfriendly, when I questioned his knowledge, Amy Russel from the ERD called me back laughing, thinking it was a joke about questioning Mr Drinian - She was very unprofessional to speak with. She (Amy Russel) informed me that Mr Drinian was a "Retired Supervisor" who returned to work to HELP OUT "since they were "SHORT STAFFED" the ERD that is. No wonder it took me 6 months & 11 faxes of complaints with 10 pages to go with it. Mr. Drinian then said I did everything wrong, & to redo it, so, I did, and we went back & forth on 7-5-12 then on 11-16-12 and 12-10-12. I then received a Notice on 1/17/13 from the EEOC

C Stating that the claim was dismissed.

After following all protocol, state then Federal - I filed with Federal just in time - If I would of known, I would of filed both at the same time, but I did what I was advised by attorney I spoke with. See attached documents from the ERD, EROC & myself.

C I am a very fast learning, dedicated loyal and honest employee and person. I did nothing but excel in the company starting as a nobody at \$8.87 a hour as a ticket counter / gate agent on 9/8/03 - Then I became a fill in - in the Operations Tower and then was promoted to a Lead Agent / Fill In Supervisor at the Ticket Counter / Gate on 11/22/05. And then a Ground Security Coordinator on 3/8/06 After a family tragedy, wrongful death, Suicide by Cop in June of 2007. I decided to go part time in the Operations Tower and sign up for the Criminal Justice program at ITT in Sept 2008 hoping to learn and help make a difference so that incidents that killed my Uncle (Gordon Veljeu) would NEVER happen again, so no family or person would go through the pain my family, Gordons son and I went through.

I did follow the call in Policies -
 I followed them more than Frontier/Republic
 ever did with their INCONSISTANT Rules +
 Policies From the Blue book to the Red Book
 to a final attendance, FMLA, HR etc
 Policy in February of 2010

I not only called managers, Supervisors,
 fellow employees on duty the days I were sick
 including faxes of Dr Excuses, Emails to
 H.R. including my manager, my direct Supervisor
 and TEXT messages which were ALLOWED

Since I puked bile every 20 minutes ^{for hours} and then
 would loose my voice. I was proactive in
 taking home printed schedules by the month
 in advance to ensure I called into the proper
 "Supervisor on Duty" or if I was sick the
 night before - I would try to cover my own
Shift since I was told I was "UNRELIABLE".

Even asking to work from home, Frontier
 still wouldn't accomodate me, tho most
 Tower employees had access from home.

It is CLEAR by the copies of emails
 and phone records I've submitted that

Frontier Airlines and Republic Airway Holdings INC
 Interfered with my right to take leave, harassed
 me while I was on duty and clearly retaliated

C

against me while I was out on leave in 2011.

It is also Crystal Clear that I am NOT the only employee who also was NOT paid out on their benefits. I spoke with Heather Hastings Heffernan (former Frontier Emp) on April 15, 2014 - We spoke for the first time in a long time. I had heard that Heather and some other Frontier employees had cases against Frontier Airlines / Republic Airway also for "UNPAID BENEFITS OWED". Heather had informed me that she had mediation with Frontier, the ERD and a Judge. Frontier Airlines / Republic Airway Holdings was a "NO CALL NO SHOW". She was advised to retain counsel and has Attorney Sandy Radtke 414 257-2667 and a case against the Defendants also. Heather is more than happy to be a witness about my communication and that I was NOT a NO CALL NO SHOW ever - She, was the fill in Supervisor on duty along with Peter G Since Beth Nacker, my manager and direct Supervisor Jason Lehman take all of their vacation time OFF in the Summer months.

I am certain that getting expert witnesses won't be a problem at all.

To be proactive, I've included two forms one is a ABC form and the other is a

Disclosure of Health Information from my primary doctor. I don't know how much more information I could give you on my health conditions, but you are

welcome to view what you need. I really shouldn't be surprised after all I've been through with this sickness and getting denied and reapplying for Social Security over and over due to my "Education + Training".

I am sick, very sick and I just try to stay positive for my children, my health and to stand up for what is RIGHT, to help and educate the sick + the poor and make sure that our citizens with disabilities are treated fairly and with respect. Sometimes I wish it were my brain that had the scar tissue and not my kidneys. People and Agencies assume since you're sick and dying that it doesn't matter - But it does matter - It matters so much that for 3 years my daughters and I have been volunteering for the Special

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Olympics and we've basically partially adopted a girl with down syndrome from my daughter's High School - you should see her run - I sat there these last few years wondering how Society will treat these disabled people and if they're aware of their rights and praying that the teachers, coaches etc always treat them properly, it made me thankful for actually having the mind and strength to get through this case and put it behind me, and make a difference, as hard and as emotional this whole process has been.

I never in my life have been mistreated like I was by Frontier Airlines and Republic Airways Holding. I was employed there as a Midwest Airlines employee since September of 2003 - Almost 8 years of working until I got sick and was labeled as "UNRELIABLE" - then I was given the run around, discriminated against harassed and bullied while out on leave, when they the defendants were - the ones who got me sick initially due to the HVAC malfunctions for weeks.

For the last part of my discovery plan I am asking, your honorable Judge T. Randa find the Defendants guilty on all counts, and ordered to Pay Punitive Damages on top of the following:

- * Flying benefits for LIFE for me, a designated Companion and my 2 daughters at my original hire date of 9/8/03 at Employee Status NOT Retired
- * A letter of Recommendation from the Defendants for future employment - I have 8 years of experience & Certifications to be proud of
- * My Ground Security Coordinator Certificates I NEVER RECEIVED for years:
3/8/2006 3/8/2007 and 3/8/2008
- * Load Master Weight + Balance Certificates for the following Aircrafts I never received:

| | | |
|------|------|------|
| A319 | E190 | E135 |
| A318 | E170 | E45 |
| A320 | E140 | |
- Initial Certification date 11/15/2010
- * Termination be Removed from my Records

- * Wage loss reimbursement - I would of moved up to management so approximately \$50,000 a year for 30 years times three - me and each one of my daughters - Plus 3 years of interest starting from termination date
- * Eviction / Judgement Costs
Moving Costs + ^{\$}1mo Rent + Security
- * Advances I had to take to live on from \$ left from my grandfather will
- * \$5,000 for Patrick Velup - borrowed in ^{week} Feb 2010 when I was forced to drop to 20hrs per the Dr - to pay my rent in advance
- * School Loan Default Payoff + Reimburse me for what was garnished from my Social Security
Want to finish College
- * Pay Day Loan Reimbursement + Pay OFF
- * Reimbursement for my 401K Retirement Plan I had to cash in for money to live on 8-31-11 plus interest from cash in date
\$1,770.60

| | | |
|------------|--|------------|
| 6-14-12 * | Reimbursement for my 1988 Riviera Cruiser Pontoon Boat Sold - Plus interest from sold date of 6-14-12 to present | \$2300.00 |
| 11-12-11 * | Reimbursement for All Jewelry sold | |
| | - Diamond & Sapphire Tennis Bracelet | \$720.00 |
| | - Diamond & Garnet Tennis Bracelet + One 14kt Gold Ring | \$790.60 |
| * | Diamond 14kt Yellow Gold Diamond Tennis Bracelet | \$2,465.00 |
| * | 14kt Gold Diamond Engagement Ring | \$4600.00 |
| 5-7-13 * | 14kt Gold Charms | \$27.75 |
| 12-10-12 * | Kinkos Copies for State Complaint | \$67.47 |
| 9-1-11 * | National Salvage - Cons./garage Items | \$63.98 |
| 10-1-11 * | Gold / Silver + Platinum Jewelry Sold | \$352.94 |
| | Benefits Paid Back on Plus Interest from Termination Date | |
| * | Catastrophic 46.67 hrs Sick Time x 13.12 | \$612.31 |
| * | Legacy Vacation 18.3133 hrs x 13.12 | \$240.27 |
| * | Regular Sick Time 172.5000 hours x 13.12 | \$2,263.20 |

* Vacation 32.0000 hours \$ 419.84
x 13-12

* Short Term Disability Pay Out

* Workmans Comp

* 2 months of No Income until Unemployment
approved my claim

* I Lost \$30,000 on my Land Contract
to purchase a home - due to NO
Employment

* \$240,000 to purchase this Home
so my girls and I dont ever have to
work again - On a 30 day lease since
Unable to buy -

* Punative Damages for the snowball
effect of (a) Wrongful Termination
(b) Aggravation + Acceleration Beyond
Normal progression (c) Embarrassment
(d) Loss of Self Worth (e) Mental Anguish

Totalling \$10 Million

overworked
per my
restriction
of 4 hrs
shifts
in
February
2010